

Dunglison (Rob.)

a public discourse
in commemoration of
Peter S. Du Ponceau A.A.

A

PUBLIC DISCOURSE

IN COMMEMORATION OF

PETER S. DU PONCEAU, LL.D.

LATE PRESIDENT OF THE AMERICAN PHILOSOPHICAL SOCIETY,

DELIVERED

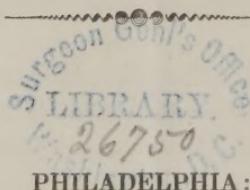
BEFORE THE SOCIETY PURSUANT TO APPOINTMENT,

ON THE 25th OF OCTOBER, 1844,

BY ROBLEY DUNGLISON, M.D.

One of the Secretaries.

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COMMEMORATIVE DISCOURSE.

MR. VICE-PRESIDENT, AND GENTLEMEN :—

IT has been a custom with the American Philosophical Society, on the death of its highest officer, to appoint one of its members to deliver a public discourse, with the view of doing honour to his memory, and of holding up, as an example to others, the eminent intellectual and moral qualities, and the honourable course that led to the attainment of such a distinction.

Five discourses have thus far been pronounced; the first on Franklin, who may justly be regarded as the founder of the Society, by the Rev. Dr. Smith; the second on Rittenhouse, by Dr. Rush; the third on Wistar, by Chief Justice Tilghman; and the fourth on Tilghman, by the lamented subject of this memoir. Jefferson, who lived for many years after he had resigned the presidency of the Society, received the accustomed tribute at the hands of Mr. Nicholas Biddle. To one only of the deceased Presidents no such tribute was permitted—to Patterson, who modestly urged, as a last solemn request, that he might be an exception; and his request was reluctantly complied with.

If ever there be an occasion in which self should be disregarded by an orator, it is when appointed, by an institution like this, to commemorate the deeds of a distinguished and deceased member. The whole object of his appointment is to illustrate another. Can this be more satisfactorily accomplished, in the present instance, than by a brief record of the eventful history of a long life spent in eminent usefulness? Fortunately for the biographer, his venerable friend, in a series

of reminiscences, written partly to a friend now absent,* but chiefly to a near relative,† had himself depicted his early history, in the felicitous manner so characteristic of him. Much labour of research has hence been spared; and in the details of his youth little more has been necessary than to select and arrange materials, thus happily presented by him who was the best voucher for their authenticity.

Mr. DU PONCEAU was born on the third day of June, 1760, at the town of St. Martins, in the Isle of Ré, on the western coast of France, where his father held a military command. All his recollections of his studies, prior to six years of age, were his having learned, almost entirely by heart, a Latin and French vocabulary, which he found of great use in the sequel. At that age he was put to an excellent grammar school, and was instructed at home by private teachers. His fondness for language began, at this early period, to develope itself. He met one day, accidentally, with an English grammar, at a neighbour's house.

"Childlike," he says, "I was delighted with the letters K and W, which my eyes had not been accustomed to see. I took the book home, and began to study the English language. My progress was rapid. There were English and Irish families in the town; and the Irish regiment of Clare, and afterwards that of Walsh, were quartered there. I had a good ear and flexible organs. I soon spoke good English, and became a perfect *Anglomane*. I devoured Milton, Thomson, Young, Pope, Shakspeare, and so neglected the French poets, that I must acknowledge, to this day (1837), I have read but few of the tragedies of Corneille, Racine, and Voltaire. The English *haut gout* had spoiled me from them. I also wrote English correctly. I have English verses (bad enough to be sure), but which were addressed to me from Rochelle by a young Englishman, when I was but twelve years of age. I learned a great deal of English poetry by heart, much of which I retain to this day."

* Mr. Walsh.

† His grand-daughter, Miss Garesché.

About this time he acquired Italian in the same manner, from the officers of an Italian regiment quartered in the town.

Until the age of thirteen, he was at home, without any regular instruction, reading a great deal without choice, and doing what he pleased. His father had always intended him for the military profession. As he appeared fond of study, he thought he would make a good military engineer; and as there was at the time, on the island, a large body of recruits, who were drilled there for the service, and afterwards draughted into regiments for the French colonies; and amongst these, many young men who had received an excellent education, and were skilled in various branches of knowledge,—the best informed amongst the recruits made offers to his father, who had a command over them, to instruct his children in consideration of some relaxation from military discipline. These offers were accepted, and young Du Ponceau was taught—superficially, as a matter of course—mathematics in its various branches, geography, history, military fortifications, &c. Of these, history and geography were alone to his taste, but they were not what he preferred.

His father soon saw, however, that he must abandon the project of a military life for his son, and especially that of engineering, which the youth's shortness of sight did not permit him to follow; but he abandoned it with regret. His mother was very desirous that he should be educated for the priesthood, but the proposition met with no favour from his father. It was at length determined that he should receive a collegiate education, and that circumstances should afterwards decide as to what precise use it should be applied. He was accordingly, in the autumn of 1773, sent to a College of Benedictine Monks at St. Jean Angely. He had so profited by his studies at home, that he was immediately placed in the class of philosophy, and when the theses were publicly defended, at the end of the scholastic year, he obtained all the premiums. Here he continued his English studies, and was never without an English classic in his pocket, so that he received the *sobriquet* of *l'Anglois*. In this college he staid but eighteen months, when he returned to the Isle de Ré, just entering

his sixteenth year. He found the family in deep affliction on account of the recent death of his father.

His mother now urged him strongly to embrace the sacred calling; and in the then distressed condition of the family there seemed to be no alternative; but his inclination, as his mother knew well, had been always opposed to it. The family were, however, all in favour of it; and although he resisted for a long time, owing to his having imbibed in the Isle de Ré (the population of which was half Protestant) the principles of the Reformation, he was ultimately compelled to submit; "took the tonsure,"—to use his own language—and became *Monsieur l'Abbé*.

The Bishop of Rochelle was a friend of the family. He was a nobleman of the ancient house of Crussol, had much influence at court, and many benefices in his gift: he sent the young Abbé as a *Régent* to his Episcopal College at Bressuire, in Poitou, where, at the age of fifteen, he had a class of scholars whom he instructed in the rudiments of the Latin language; but the other regents, who were men twenty-four or twenty-five years of age and miserable pedants, were jealous of him, because, owing to his being of a good family and patronized by the bishop, he was treated by the principal with greater respect than they. They called him *Gentilhomme Bas Breton*; excited the boys to pelt him with apples, and annoyed him in every way they could; until, at length, life became intolerable, and finding that the principal, although willing and well disposed, could not effectually check the proceedings of those who were determined to get rid of him, he finally resolved to satisfy them by quitting the place, and to throw himself upon the wide world. "For the sake of truth," he says, "I must add, that I was also induced to this step by my religious scruples; and, to be perfectly candid, by a restless disposition, and a spirit of adventure, which made me see every thing in bright colours before me."

On Christmas day, 1775, leaving all his luggage behind, he sallied forth at daybreak, with the "Paradise Lost" in one pocket, and a clean shirt in the other, on his way to the great capital, where he arrived in the beginning of January, with the firm resolution of depending, from that moment, on his

own exertions alone for subsistence, and for whatever fortune might await him. "Behold me now in Paris," he exclaims, "at the age of fifteen, with a light heart, and a still lighter purse. But I was full of hope, I had buoyant spirits, and saw every thing *couleur de rose!*"

Less than two years before, his father had died at Versailles, where he was soliciting a place of lieutenant-governor, which had been promised him, and which, when he died, he was on the point of obtaining. Young Du Ponceau went thither, where he was very well received by his father's acquaintances. Amongst these was the Baron de Montmorency, who was then Governor of the Province in which the Isle de Ré is situate, and who knew all his family. By the Baron he was treated very kindly, although he did not approve of his absconding. He was desirous of obtaining a clerkship in one of the departments, and might have succeeded, but for his impatience and utter ignorance of the world. He wrote what he himself terms "a most foolish letter" to Monsieur de Sartine, the Secretary of the Navy, complaining, in no measured terms, of the delay of his appointment, and throwing the fault upon his secretary, who was highly incensed, so that instead of the place he expected he received a threat of the Bastile.

Disappointed, he left Versailles, and returned to Paris, well provided with letters from his father's friends. Here he found himself as independent as he desired to be. He earned his living principally by translating English works, at so much a sheet, for professed translators, who made a profit out of his labours. He also translated commercial letters for men of business, and gave lessons in the English and French languages. Among those to whom he was introduced was the Count de Genlis, the husband of the well-known authoress. The Count had been at the Isle de Ré, and knew his family. He received him like a true courtier. He was the intimate friend of the Duke of Orleans, and resided in his palace. One day he told Mr. Du Ponceau that the prince wished to have an English and French vocabulary of the words and phrases relating to the chase, with dialogues, &c. The subject was new to him, "but what," says he, "will not necessity and industry do? I undertook, and with great labour produced the

work, which the prince was so much pleased with, that I had the pleasure to see my manuscript in his library elegantly bound in red morocco, with gilt edges. I had been promised a handsome reward; but when, afterwards, I modestly hinted to M. de Genlis something about a compensation, his answer was, '*Les princes ne donnent rien.*' Had I been asking for an alms, I could not have been answered otherwise. He was guillotined in 1793, with Brissot and others of his colleagues. I did not wish him so severe a punishment. It is said of him that when he went to the scaffold, he bowed to every body that he saw, and that his looks seemed to say,—'If, where I'm going, I could serve you, sir.' This is a true picture of his character."

In the course of a few months, Mr. Du Ponceau became acquainted with the celebrated philologer, Court de Gébelin, whose reputation was then very high. M. Gébelin offered to take him as secretary, which offer was joyfully accepted. With him young Du Ponceau remained six or eight months, until his departure to this country. M. Gébelin was a Protestant minister, born in France, but ordained, and officiating as minister of the Gospel, at Lausanne, in Switzerland.

"I do not know," says Mr. Du Ponceau, "what circumstances brought him back to his native country, where he ran great risk if the law had been rigorously enforced, which was not the case, as the government shut their eyes, provided the Protestant ministers abstained from their functions. M. de Gébelin resided in Paris as a private citizen, and devoted himself to the philological science, in which he acquired an immense reputation. He was in the zenith of his fame when I became his secretary. He was an excellent man, and I cannot but remember with pleasure the time that I spent with him. He was to me as a father, and when I made known to him my engagement with Baron Steuben, and my determination to come to this country, he did all in his power to persuade me to remain with him, and even offered to let my name appear with his on the title-page of his great work. But though I sincerely loved him, and admired his talents, I did not agree with him in his philological opinions. He was endeavouring to find the primitive language, which I considered as impossi-

ble. I parted from him with regret; but fate had determined that I should become an American. I corresponded with him until his death, which happened on the 13th of May, 1784. He died a victim to his confidence in the *Charlatan*, Mesmer."

Among the houses in Paris frequented by Mr. Du Ponceau was that of the well-known M. Beaumarchais, where he became acquainted with Baron Steuben, who was preparing to set out for America. The Baron was in want of a secretary who could speak and write the English language; and he soon found that young Du Ponceau suited him entirely. The arrangements were speedily made. They sailed together from Marseilles, and landed at Portsmouth, New Hampshire, on the first of December, 1777.

Although one born in a country in which the English language is not spoken must require some time before he can feel entirely domiciliated here, Mr. Du Ponceau, it seems, felt at home from the first moment he landed. The language was, indeed, familiar to him. "I was only astonished," he says, "to find even the milk-maids as learned as I was. My astonishment would hardly have been greater if they had spoken Greek or Latin. As the Baron could not speak one word of English, I accompanied him every where, and thus I was thrown at once into the first company in the land. I was pleased with every thing around me. We ate our first dinner at Governor Langdon's, and there we heard, for the first time, of the capture of General Burgoyne and his whole army. We hailed it as an omen of future success."

Mr. Du Ponceau frequently reverted with satisfaction to this period, and stated his belief, that he then understood and spoke English as well as he ever did afterwards; and it was with no little delight, that some years ago, through the kindness of Mrs. Langdon Elwyn, of this city, the daughter of Governor Langdon, he had an opportunity of obtaining a letter which he wrote, when seventeen years of age, for Baron Steuben to General Whipple, of Portsmouth, N. H., Mrs. Elwyn's relative, the language of which is signally corroborative of his belief on this point.

Boston, December 15, 1777.

HONOURABLE SIR,—

I have the honour to inform you, as soon as possible, of my arrival in this town, and to thank you for all the kindnesses you have been so good as to show me during my stay at Portsmouth. I have given to Mr. Jackson, at Newberry, the letter you have favoured me with for him, and had it not been for the difficulty of finding lodgings here, I should have had the honour of presenting to Messrs. Hancock and Adams those you have charged me with for them, but my whole evening was employed in looking for a house where I might lodge; but I hope to have to-morrow the honour of seeing these gentlemen.

I have the honour to be, with respect, honourable sir,

Your most obedient,

And most humble servant,

STEUBEN.

Judge Pettit has kindly sent me an autograph letter, written by Mr. Du Ponceau, a few months later, to General Greene, chief of the quartermaster's department. Col. Pettit, grandfather of Judge Pettit, was an intimate and confidential friend of General Greene, and had a large share of the control and responsibility of the department, whilst General Greene retained his rank, and performed duty in the field as a Major-General in the army.

Camp, Valley Forge, April 17, 1778.

SIR,—

Baron Steuben would be much obliged to you if you would be so good as to give an order to Major Craig to furnish him with two common tents, and that marquise which Col. Lutterloh had before his departure, which he has ceded to the Baron. Moreover, sir, you would oblige him very much by ordering your deputies to furnish him with three wooden bowls, and four or five wooden trenchers. Meanwhile the Baron presents his compliments to you.

I have the honour to be, sir,

Your most obedient

And very humble servant,

P. S. DU PONCEAU, A. D. C.

To the Hon. MAJ. GEN. GREENE.

At Portsmouth, Baron Steuben remained about ten days, and thence went to Boston, where he staid one month. Here

Mr. Du Ponceau became acquainted with some of the most distinguished persons connected with the Revolution, amongst whom were John Hancock and Samuel Adams. He was then —to use his own expression—a stern republican, and had been so from the first moment that he began to reflect. “I shall never forget,” he says, “the compliment paid me by Samuel Adams, on his discovering my republican principles.” “Where,” said he to me, “did you learn all that?” “In France,” replied I. “In France; that is impossible.” Then recovering himself, he added, “Well, because a man was born in a stable, it is no reason why he should be a horse.” “I thought to myself,” adds Mr. Du Ponceau, “that in matters of compliment they ordered these things better in France!”

On the 14th of January, 1778, they left Boston, on their way to Yorktown where the Congress of the United States then sate; and owing to its being necessary to shape their course westwardly, to avoid being surprised by hostile bands, they had to cross the States of Massachusetts, Connecticut, New York, New Jersey, and Pennsylvania, so that three weeks were consumed in a journey which at present occupies but a few days.

The fame of Baron Steuben had preceded him to Yorktown, where marked attention was paid him by General Gates. “Congress appointed a committee to confer with him on the subject of his pretensions, and were not a little surprised when he informed them, that all his ambition was to serve as a volunteer in their army.” All the favour he asked was, that his two attendants, MM. Depontière and Du Ponceau, should have the rank of Captain, which was immediately granted; and on the 18th of February the subject of this memoir received the appointment of Captain, by brevet, in the army of the United States, on which he always prided himself greatly; and it was as a surviving Captain of Infantry of the Line, of the Army of the Revolution, that he received a pension until the day of his death.

On the 19th of February, Baron Steuben and *suite* departed from Yorktown for the camp at Valley Forge, where they arrived on the 23d, and the next day Mr. Du Ponceau had the honour of being presented to General Washington, and of

dining with him on that and the following day. "He received the Baron," says Mr. Du Ponceau, "with great cordiality, and to me he showed much condescending attention. I cannot describe the impression that the first sight of that great man made upon me. I could not keep my eyes from that imposing countenance—grave, yet not severe; affable, without familiarity. Its predominant expression was calm dignity, through which you could trace the strong feelings of the patriot, and discern the father as well as the commander of his soldiers. I have never seen a picture that represents him to me as I saw him at Valley Forge, and during the campaigns in which I had the honour to follow him. Perhaps that expression was beyond the skill of the painter; but while I live it will remain impressed on my memory. I had frequent opportunities of seeing him, as it was my duty to accompany the Baron when he dined with him, which was sometimes twice or thrice in the same week. We visited him also in the evening, when Mrs. Washington was at head quarters. We were in a manner domesticated in the family."

The privations of the army during the winter spent at Valley Forge are matters of history, and were deeply felt by all. "We," says Mr. Du Ponceau, "who lived in good quarters, did not feel the misery of the times so much as the common soldiers and the subaltern officers; yet we had more than once to share our rations with the sentry at the door. We put the best face we could upon the matter. Once, with the Baron's permission, his aids invited a number of young officers to dine at our quarters, on condition that none should be admitted that had on a whole pair of breeches. This was of course understood as *paris pro toto*; but torn clothes were an indispensable requisite for admission, and in this the guests were very rare not to fail. The dinner took place; the guests clubbed their rations; and we feasted sumptuously on tough beef steaks and potatoes, with hickory nuts for our dessert. In lieu of wine, we had some kind of spirits, with which we made *salamanders*; that is to say, after filling our glasses, we set the liquor on fire, and drank it up, flame and all. Such a set of ragged, and, at the same time, merry fellows, were never before brought together. The Baron loved to speak of that dinner,

and of his *sans-culottes*, as he called us. Thus this denomination was first invented in America, and applied to the brave officers and soldiers of our revolutionary army, at a time when it could not be foreseen that the name, which honoured the followers of Washington, would afterwards be assumed by the satellites of a Marat and a Robespierre."

Whilst they were at Valley Forge, Baron Steuben was appointed a Major-General and Inspector-General of the armies of the United States. To the post of Secretary to the Baron, which Mr. Du Ponceau then held, was added that of Aid-de-camp, which gave him, by courtesy, the rank of Major. This he preserved until he quitted the military service. Whilst he was at Valley Forge, he became acquainted with General Lafayette, who showed, from the first, much partiality for him, which afterwards ripened into a friendship that ceased only with the General's life.

Mr. Du Ponceau attended Baron Steuben in his various military movements, and at the close of the campaign of 1779, they took up their winter quarters in this city, where he had not been long before he was attacked with symptoms of pulmonary mischief—coughing and spitting of blood, accompanied by great emaciation, which induced his physicians to pronounce, too hastily, that his case was incurable. Mr. Du Ponceau's notes are any thing but favourable to the intelligence of one of those gentlemen. In May, 1780, his friends procured for him a lodging at Nicetown, in order that he might have the advantage which country air and exercise were capable of affording. He had not been long there before he received a letter from his physician, which, he says, astonished him exceedingly, and was by no means calculated to raise his spirits. The doctor made an apology for not riding four miles to visit him occasionally, on the ground that it would be of no use, as his disease was incurable. "You are a philosopher," said he, "therefore I have no doubt that you will bear this intimation as a philosopher ought to do." In the letter was enclosed an impression on sealing-wax of the Goddess Hygeia; and referring to it he observed, that amulets sometimes had the effect of restoring health; and that if it did him no good, it would at least do him no harm. He con-

cluded by recommending him to sleep in a stable, and inhale the breath of cows, which, he said, had sometimes been effectual.

It is not surprising that the diagnosis of such a therapeutist should be inaccurate. The letter excited the disgust of the patient, and destroyed all his confidence, not in the doctor only, but—as too frequently happens in such cases—in medicine. Having tried an American physician, he now had recourse to one attached to the family of the French minister, but he also condemned him.

"From that moment," he playfully remarks, "I gave up *Æsculapius* and his disciples, and determined to be my own physician. I kept to the milk diet, because I had faith in it. I did not seek the company of cows, because there was other company that I liked better. I strove, above all things, to keep up my spirits. I wrote satirical verses on the consumption, and determined that it should not consume me."

He continued at Nicetown till the month of November, when he seemed to be much improved. His cough had considerably abated, and the spitting of blood had become less frequent. "I felt ashamed," he says, "to receive the pay of Congress, and to be idling my time without rendering any service."

He was in this disposition of mind when he heard that Baron Steuben had been ordered to attend General Greene, who was appointed to the command of the southern army. The Baron having come to Philadelphia, Mr. Du Ponceau solicited him to be permitted to accompany him, urging, that he had tried every remedy without success, that he had heard that the exercise of riding had often cured consumptive patients, and that, after all, if he was to die, it was better and more honourable that he should die in the field, than by the slow process of an incurable disease. Baron Steuben consented, and they left Philadelphia, in company with General Greene, on the 23d of November of the same year (1780), which he designates in one place "a most dismal year," and in another, an "ill-fated year."

They parted with General Greene somewhere in the State of Delaware, and pursued their route to Richmond, in Vir-

ginia, with manifest improvement of Mr. Du Ponceau's health, who began to think himself out of danger. Owing, however, to the fatigue incurred in the removal of public stores, when Arnold took possession of Richmond, or to some other cause, he again fell seriously ill; and Mr. Charles Carter, of Shirley, having offered him an asylum at his hospitable mansion, about twenty miles below Richmond, the offer was gratefully accepted. "I removed," says Mr. Du Ponceau, "to that delightful place, where I was received and entertained with the most liberal hospitality. I shall never forget my obligations to that excellent family." And he never did forget them. A short time only before his decease, he recurred with marked satisfaction to the kindness which he had experienced from them between sixty and seventy years before.

He staid at Shirley two or three weeks, when, on the recommendation of his medical attendants, that he should use travelling exercise on horseback, he visited various parts of Virginia, of which, however, he retained but a confused remembrance, having made no notes thereof at the time.

These rambles, with intervals of repose at the seats of different gentlemen, improved his health so much, that he again became ashamed of his indolence "while an enemy was ravaging the country," and rejoined Baron Steuben some time before the encounter with General Phillips, whose object was to get possession of Petersburg.

On the 3d of June, 1781, Mr. Du Ponceau attained the age of twenty-one. He was then at a place called the Point of Fork, in the western part of eastern Virginia, where there was a state arsenal, a dépôt of military stores, which had been placed there for security, and with the view of being transported thence to the Carolinas, the principal theatre of the war. Here they narrowly escaped being captured by Colonel Simcoe's horse, after which they directed their march rapidly towards North Carolina. Mr. Du Ponceau followed the Baron until they had nearly reached the frontier of that State, when he was attacked with fever, which was accompanied and succeeded by so much debility, that Baron Steuben, after much consideration, advised him to proceed to Philadelphia, believing him—as was the general impression—to be incurably

consumptive. During the journey, however, his health materially improved; and for this result he considered himself partly indebted to the violent exercise which he was compelled by Col. Simcoe to take, and which was so irksome to him at the time.

When he left the army, Baron Steuben gave him a strong letter of recommendation to Congress, soliciting for him an employment in some civil capacity.

On the 25th of July, 1781, he took the requisite oaths, and became a citizen—as he expresses it—“of the great Commonwealth of Pennsylvania.” “Behold me, then,” he adds, “a citizen of the United States, having entered with them into a solemn compact, to which I have faithfully adhered, and which I have never repented.”

For a few months he was engaged in this city in youthful and social amusements, whilst his friends were watching to discover some appropriate employment for him. Nor were they unsuccessful. Mr. Robert R. Livingston, Chancellor of the State of New York, having been appointed Secretary for Foreign Affairs, Mr. Du Ponceau was strongly recommended to him as an assistant.

Amongst those who wrote to Mr. Livingston in his behalf, were Governor M'Kean and Judge Peters. The original letters from these gentlemen have been placed in my hands through the kindness of Mr. Horace Binney Wallace, of this city. That of Judge Peters exhibits the high opinion entertained by the distinguished functionary of the character and attainments of the youthful applicant.

October 19, 1781.

DEAR SIR,—

It is very seldom I undertake to recommend persons for public employments, as it is a subject of a delicate and embarrassing nature; but I cannot withhold my very hearty recommendation of Capt. Du Ponceau, who, I understand, has applied to you for some appointment in your department. I have been acquainted with him ever since his arrival in this country, and from my own observations, as well as the warm expressions of approbation and esteem I have heard from Baron Steuben, I have no doubt of his attachment to our cause, and am convinced of his abilities and unblemished cha-

racter. The Baron has long wished him to be employed in the *corps diplomatique*, as his want of health and shortsightedness will not admit of his distinguishing himself in the field. He has an exceeding industrious turn, and has a most remarkable facility of acquiring languages. French is his native tongue. English he has acquired perfectly, and he understands German, Italian, and Spanish. He can translate Danish and Low Dutch with the help of a dictionary, but a little application will make him master of these. He is also a good Latin scholar. From his private history, of which the Baron has often given me an account, I have reason to believe his views are entirely confined to this country. I do not pretend to undertake to point out any particular employment, but am convinced he can be useful to you in any one you choose to point out for him.

I am, with very sincere esteem,
Your obedient servant,
RICHARD PETERS.

Hon. Mr. LIVINGSTON.

On the 22d of October, Mr. Du Ponceau was sworn in as Mr. Livingston's Secretary, and entered upon the duties of his new office. Subsequently, on the 1st of March, 1782, Mr. Livingston was allowed two under-Secretaries; one of these, Mr. Lewis Morris, a nephew of Mr. Gouverneur Morris, and the other the subject of this memoir. Mr. Morris and he received each seven hundred and fifty dollars a year during their continuance in office—the salaries being paid in specie—in French crowns and louis d'or, which was the money current at the time. The house, that Mr. Livingston occupied until his retirement from office, was the one in which Mr. Du Ponceau resided until his death. "Here," he says in his manuscript reminiscences written nearly seven years ago, "in the society of Mr. Livingston and his amiable family, I enjoyed the most brilliant period of my life, and here, in my manhood, and my more advanced age, I have experienced the various vicissitudes of human life. Here, in every room, in every nook, in every corner, in every walk, in our little garden, in every flower that blossoms in it, I find the memorials of the scenes of by-gone days. I love to call those scenes to mind, and to dwell on the melancholy or pleasing recollections which they excite."

The official business of the department was transacted, as is well known, in a small tenement in Sixth street, adjoining the office subsequently occupied by Mr. Du Ponceau, and forming a part of his estate. "I hope," he remarks, and his hope was fulfilled, "that at least during my life, this interesting memorial of our early history will remain where it now stands, and that its memory will be preserved after me. It will be the subject of a noble page for the pen of the future historian."

In Mr. Livingston's office Mr. Du Ponceau continued until the 4th of June, 1783, a period of somewhat less than twenty months. At the close of the war he determined to embrace the profession of the law, which he studied under Mr. William Lewis, whom he regarded as, at the time, "the most celebrated lawyer in Philadelphia, and perhaps in the United States." In a letter to Mr. Thomas I. Wharton, published by that gentleman as an appendix to his Memoir of Mr. Rawle, in the fourth volume of the Memoirs of the Historical Society of Pennsylvania, he gives a most interesting sketch of Mr. Lewis, Mr. Rawle, and others of their contemporaries.

At June term, 1785, Mr. Lewis moved for his admission as an attorney of the Court of Common Pleas, and on the favourable report of the examiners he was received. He had been previously appointed, by the Executive Council, Notary Public; and in 1791 was made sworn interpreter of foreign languages. His Notary's office soon kept him well employed; and his docket for September term, 1785, the first after his admission, showed that he was then concerned in twenty-one suits either for plaintiff or defendant. In 1786, on the motion of Mr. Lewis, he was admitted an attorney of the Supreme Court of the State.

In the year 1788, Mr. Du Ponceau married; and from that time he began to lead a very retired life, attending only, according to his own testimony, to the duties of his profession.

In the letter just mentioned, he thus playfully alludes to the delightful intercourse which existed between the then older members of the bar.

"In the beginning of the present century, during the reign of the embargo, non-intercourse, and other restrictive measures produced by the British orders in council, and the Berlin and

Milan decrees, a great number of cases were carried up from this city to the Supreme Court of the United States. The counsel engaged in those causes were in the habit of going together to Washington, to argue their cases before that tribunal. These were Mr. Ingersoll, Mr. Dallas, Mr. Lewis, Mr. Edward Tilghman, Mr. Rawle, and myself, who am, alas! the only survivor of that joyous band. We hired a stage to ourselves, in which we proceeded by easy journeys. The court sat then, as it does at present, or did until lately, in the month of February; so that we had to travel in the depth of winter, through bad roads, in the midst of rain, hail, and snow, in no very comfortable way. Nevertheless, as soon as we were out of the city, and felt the flush of air, we were like schoolboys in the play-ground on a holiday; and we began to kill time by all the means that our imagination could suggest. Flashes of wit shot their coruscations on all sides; puns of the genuine Philadelphia stamp were handed about; old college stories were revived; macaroni Latin was spoken with great purity; songs were sung—even classical songs—among which I recollect the famous Bacchanalian of the Archdeacon of Oxford, “*Mihi est propositum in tabernā mori:*” in short, we might have been taken for any thing but the grave counsellors of the celebrated bar of Philadelphia.”

“I shall always,” he adds, “remember with pleasure those delightful journeys, in which we all became intimately acquainted with each other; for on such occasions, when free scope is given to the imagination, men appear in their true characters, and no art can prevent them from showing themselves as they really are. Our appearance at the bar of the Supreme Court was always a scene of triumph. We entered the hall together, and Judge Washington was heard to say, ‘This is *my* bar.’ Our causes had a preference over all others, in consideration of the distance we had to travel. The greatest liberality was shown to us by the members of the profession who usually attended that court. It was really a proud thing, at that time, to be a Philadelphia lawyer.”

Mr. Du Ponceau was now busily engaged in the active exercise of an honourable, laborious, and lucrative avocation, but—as he himself said—“the life of a lawyer, in the full practice

of his profession, offers very little but the dull and dismal round of attendance upon courts, hard studies at night, and, in the day, fatiguing exertions, which, however brilliant, are confined to a narrow theatre, and leave nothing behind but a blaze of reputation and the echo of a name."

The reports of the different courts show, that he was constantly engaged, often in most important suits; and on questions of civil and foreign law his opinion was justly held in the highest estimation. In the intervals of his arduous occupations, he found leisure to translate several valuable foreign works on law, and to write interesting essays on professional subjects, some of which were published.

His last published legal opinion, on which he bestowed much labour, although conceived and written at the advanced age of eighty-two, is not unworthy of his elevated reputation. It was given in the case of Mr. Levy, delegate from Florida, whose seat in Congress was contested in 1841, 1842.*

So lofty was Mr. Du Ponceau's reputation, at the commencement of the present century, as a learned jurist, in the Roman and French laws more especially, that the important office of Chief Judge of Louisiana was tendered to him by President Jefferson; but his prospects and associations in Philadelphia induced him to decline it.

On all occasions, his time, his talents, and his powerful influence, were bestowed freely for the promotion of juridical knowledge, and the maintenance of peace and harmony amongst the members of the legal profession. In the year 1820, a society was instituted, called "The Society for the Promotion of Legal Knowledge and Forensic Eloquence." The "Law Academy" was a branch of this, and under its patronage. The first President of the Association was Chief Justice Tilghman, and the first Provost of the Law Academy, Mr. Du Ponceau. This office, through the favour of the Academy, he held until the time of his death; and on more than one occasion, at the close of the Academic session, the members acknowledged their deep sense of obligation for the "unremitting exertions and unwearied benevolence of their venerable Provost."[†]

* See Appendix A

| See Appendix B

Throughout his long life, Mr. Du Ponceau was much attached to philological inquiries, and especially to such as concerned the analogy and philosophy of languages, in the acquiring of which, as remarked by Judge Peters, he possessed a rare facility. He knew more of the Latin than he did of the Greek; was acquainted with most of the languages of Europe, and spake several of them; but it was not until his laborious services in his profession had secured him a comfortable competence, that he devoted much of his time to philology. An impulse in this direction was given him by the establishment, by this Society, of the Historical and Literary Committee. "In the year 1815," he remarks in his letter to Mr. Wharton, "was received the joyful news of the peace with Great Britain. Until that period, a colonial spirit had prevailed throughout this country, that had checked all efforts at literary enterprise. The successful issue of the war raised our spirits, and our minds took a direction towards literature and science. The news was received about the middle of February. On the 17th of March the American Philosophical Society, which had been long slumbering, resolved, 'That a committee of their body should be added to those before existing, to be denominated 'The Committee of History, Moral Science, and General Literature.''"

In the year 1819 was presented by this Committee to the Society the report of the Committee, of which Mr. Du Ponceau was chairman, on the Structure of the Indian Languages, which was printed in the Transactions of the Committee, speedily obtained for its author the reputation of being a learned philologer, and was followed by his receiving the degree of Doctor of Laws, and the distinguished honour of being elected, on the 20th of April, 1827, a corresponding member of the French Institute, in the Academy of Inscriptions. At a subsequent period, in May, 1835, the prize of *Linguistique*, founded by the Count De Volney, was awarded to him by the same learned body, for a Memoir on the Indian Languages of North America, which was afterwards published in Paris.

About the same time his attention was directed to the structure of the Chinese language, which has generally been re-

garded as *ideographic*,—in other words, the written character has been considered to represent ideas, not sounds; so that the Chinese and congenerous nations, it has been conceived, may be able to correspond with each other in writing, although their spoken languages may be mutually unintelligible. Mr. Du Ponceau boldly, and most ingeniously, and ably, maintained, from analogy, the opposite opinion,—that the written language is *lexigraphic*; or, in other words, that the characters represent sounds. This opinion, however, is contested by distinguished Sinologists.

His Dissertation on the Chinese Language, published in 1838, when he was seventy-eight years old, must be looked upon as the last of his philological productions.

The exalted reputation, which these researches acquired for him, led to his reception into many of the most learned and time-honoured institutions of the old world; and on this side of the Atlantic there were few that did not hasten to illustrate themselves by enumerating him amongst their associates.*

Of the Historical Society of Pennsylvania, of which he was President at the time of his death, he was long an able and energetic member, and enriched its published memoirs by valuable contributions. The Society for the Commemoration of the Landing of William Penn received his warmest support, as his published discourses on more than one anniversary testify. Of the Athenæum of this city he was President at the time of his decease, and had been so for years; and often have I heard him pour forth his grateful acknowledgments to the American Philosophical Society, and to the others over which he presided, for having annually elected him to honoured offices, when, as he expressed it, advanced age, and its necessary infirmities, had subdued, but not destroyed, his usefulness.

The latter feeling induced him, in January, 1843, to tender his resignation as President of the Athenæum—a proposition which was met in that estimable spirit which “blesseth him that gives and him that takes.” On the motion of Judge Pettit, it was *resolved*—“That the Board have received with much sensibility the note of Mr. Du Ponceau, in which he

* See Appendix C.

tenders his resignation as a Director and President of the Institution; and placing a high value upon the influence of his distinguished reputation and elevated character, earnestly desire that his connexion with the Athenæum, as its President, may be continued; and while the members will at all times be most happy to welcome him among them, the Board will relieve him from the *obligation* to perform active duties.”

The deep interest which he felt in all these institutions could not be better shown than in the feeling manner in which, in his last will and testament, written in 1839, he parts, as it were, with some of them, after having bequeathed legacies to almost all.*

“I take the liberty to recommend to my brethren of the bar the Law Academy of Philadelphia, that they may take it under their special protection, so as to make it as useful as possible to the progress of our noble science. A law professorship has long been wanted in this city: several of the states have the advantage of us in this respect. I recommend this important subject to the consideration of the friends of the legal science, and who are desirous of making it redound more and more to the honour of Pennsylvania.

“The Historical Society of Pennsylvania is in danger of perishing for want of support. While almost every other State has an historical society, shall it be said that Pennsylvania wants one? Under the auspices of its illustrious founder, William Rawle, it has produced interesting and valuable memoirs: the honour of the State requires that the work should be continued. I recommend to them to increase the number of their members, and, perhaps, to raise the annual subscription to five dollars. I would also recommend to them to apply for aid to the Legislature: no one would be better able, than a committee from their body, to continue the publication of our ancient records so honourably begun, and which appears to be suspended. Science and literature are the glory of a State; canals and rail roads are perishable. The noble aqueducts, temples, roads, of the Greeks and Romans, have perished, but their literary fame will last forever. If England were

sunken into the ocean, her fame would be perpetuated by the works of her admirable historians, philosophers, and poets. Let those, whose minds are impressed with these feelings, exert themselves and act.

"I hope the annual celebration of the landing of the great William Penn will not be discontinued, and that the Society will revive under better auspices than have for some time attended it. Might it not be remodeled and united to the Historical Society?

"The American Philosophical Society have only to pursue their present honourable course.

"The above objects being very near my heart, I have ventured to give vent to my feelings upon them. Perhaps it is out of place, but my heart is full, and I could not help it."

Throughout the whole of his existence, Mr. Du Ponceau was exceedingly shortsighted; so that, as before stated, his father, on this account, abandoned the idea of educating him as a military engineer. About the same period, his father took him to walk on the ramparts of his native town, and, in the course of their walk, asked him what profession he wished to follow. Like a dutiful son, the young man replied:—"Which you please, sir." His father then looked steadfastly upon him, and in an angry tone said:—"Quel état voulez-vous qu'on donne à un aveugle." This put an end to their conversation, and they both returned home in a melancholy mood.

This defect was probably the cause of many of the instances of absence which have been related of him. He himself admits, that when a young man he was extremely *distract*, being constantly involved in thought, so that Baron Steuben called him his Parson Adams.

The following anecdote is related by himself:—

In the spring of 1788, whilst the army was encamped at Valley Forge, the commander-in-chief ordered a sham-fight to be executed by two divisions of the troops, one of which was under the command of Baron Steuben. In the capacity of his aid-de-camp, Mr. Du Ponceau was sent to reconnoitre, with orders to return immediately at full gallop as soon as the enemy should be in sight. "I rode on," says he,—in a reminiscence addressed to his grand-daughter,—"to the distance of

about a quarter of a mile, when I was struck with the sight of what I was since informed to be some red petticoats hanging on a fence to dry, which I took for a body of British soldiers. I had forgotten, it seems, that the contending parties were all Americans, and none of them clothed in scarlet regimentals. Full of my hallucination, I returned in haste to the camp, with the news that the enemy were marching upon us. Our division took the road I had indicated, and behold! the sight of the red petticoats was all the result of their movement. It excited, of course, a great deal of merriment, to my utter confusion and dismay. The adventure was related the same day at head quarters to General Washington, in my presence; but such was the conduct of that excellent man, that I retired comforted, and my mind relieved from the heavy weight that pressed upon it. I cannot recollect the particulars of that scene, my mind being so confused at the time. All I remember, is a huge bowl of punch which was handed round to the company, and of which I took my share. No taunt, no reproach, came to me from any quarter. The mirth that the adventure occasioned was mild, and only indulged in kindness."

"This true incident," he adds, "gave rise, amongst my fellow-soldiers, to many tales in which there was not a shadow of truth. It was said, for instance, that I had once rode out to the adjutant-general's office on a black horse, and returned on a white one, without perceiving the difference. If you should ever hear any of those stories, you may safely place them among the apocrypha. All that can be said of them is—'*se non è vero è ben trovato;*' for they are in good keeping with similar traits of my character at that time."

Mr. Du Ponceau was under the impression that he had wholly overcome this "great defect," as he terms it; and during the last years of his existence, his apparent absence could generally be explained by defective sight and hearing. In addition, indeed, to his original infirmity of vision, and the diminution in the sensibility of the nerves of sight, owing to the progress of age, he was affected with cataract; yet, until the last, he was capable of reading, although with considerable labour.

About the year 1829, the even tenor of his life was broken in upon by his zealous exertions to introduce the production and manufacture of silk into this country. With the feasibility of the project he was most enthusiastically impressed. In a letter to Mr. Arthur Bronson, of New York, he says—“My plan is well considered; it is slow, but sure. I cannot say in what manner the thing will be done, but that the nation will, before long, enrich themselves by the sale of raw silk, and successively afterwards by the manufactured article, I have no more doubt than of my own existence. I owe a debt of gratitude to this country, by which I have been kindly received and treated. I lay hold, with eagerness, of this opportunity to repay it.”

Application was made to Congress, and a bill was presented in conformity with the views of Mr. Du Ponceau, which failed, however, and after great inconvenience, for he went to Connecticut in 1830, and twice to Washington during the session of Congress of 1831–2, to further the great objects he had in view; and after the loss of several thousand dollars, he was ultimately compelled to abandon the scheme altogether.

In a published letter to Mr. Warden, of Paris, dated the 29th of July, 1837, which gives a “history of the silk bill,”—after having described its fate whilst he was in Washington, he remarks—“Thus, finally defeated in my patriotic design, I took leave of my friends, and returned home immediately. I made no complaints nor appeals to the people in the newspapers or otherwise, but turned my thoughts to other objects. I found that I had lost three years of my time, and about four thousand dollars of my money, in pursuing a phantom, which at last eluded my grasp. I awoke as from a dream, and soothed myself with the proverb, which says that the shortest follies are the best.”

Still, the agitation of the measure directed the attention of the public more vividly to the silk culture; yet any immediate benefit accruing from it was, perhaps, more than neutralized by the *morus multicaulis* delusion, which gave occasion to so many absurd and ruinous speculations.

From this time he proceeded smoothly along the downhill of life, devoting his best attentions to the societies over which

he presided; and although the infirmities of age weighed upon him, the brightness of his intellect, to those who knew him best, seemed almost untarnished. Until within a day or two of his death, the condition of European politics was an object of solicitude with him; and he anticipated with increasing pleasure the successive arrivals of the transatlantic steamboats. Often has he expressed to me, that these arrivals became more and more interesting, inasmuch as, at his time of life, he might be cut off suddenly, and was, consequently, anxious to keep up his knowledge of passing events to the last moment.

This feeling of the great uncertainty of his existence is strongly exhibited in a reminiscence to his grand-daughter, dictated on the 20th of January last. "Yesterday," he says, "I had a surprise, which I was far from expecting. Your friend, Miss ——, coming to pay us the compliments of the season, wished me, as usual, a happy new year, and many more to come. To a man of my age, this word *many* sounds very much like the *mil-años* of the Spaniard. Still, it is not unpleasant. I answered, that I did not expect to live many years, but that I hoped this year to '*see the roses*,'—meaning, of course, the roses in June. To my great astonishment, the lady replied, 'then your wish is accomplished,' and presented to me a fine full blown rose; but, alas! it was a winter flower, and not that which was the object of my wishes. An old Roman would have considered this as a bad omen, and an unlucky anticipation of expected time; but as I am not superstitious, I still hope, with submission to Divine providence, 'to see the roses' on my next birth-day, and present to my fair friend a fine bouquet of the queen of flowers."

The same feeling is exhibited in another reminiscence, dictated on the 1st of March, exactly one month before his death, and—as he admits—when in a "romantic vein."

"The ugly month of February is gone, not to return until after the expiration of another year. Old winter, with his snow-capped head, and ice-shod feet, is fast receding from our shores. Three weeks more—only three weeks—and the glorious sun, emerging from the oozy mansions of the fishes, and mounted on a splendid ram, will introduce to us the youthful Spring, leading by the hand his sister Flora, accompanied by a

crowd of her lovely nymphs in the various forms of hyacinths, jonquils, daffodils, violets, daisies, lilies of the valley, and the lovely primroses. Primroses! I love that word. It reminds me of the poor primrose-girl, whose simple ditty, in my younger days, I sang with so much pleasure, as it was coupled with the remembrance of her from whose lips I first heard it sung:—

‘I live by primroses,
Come buy my primroses.
Who’ll buy my primroses?
Who’ll buy, Who’ll buy?’

But enough of those by-gone times. Three months more, and the roses will appear. You know that I was born in the season of roses. On every return of that enchanting season, I reckon one year added to my frail existence, and I ask myself the question:—Shall I see the roses once more? That depends upon the will of Divine providence; yet hope is not forbidden us. I yet hope, at the end of the ensuing three months, to see the roses again, and to present you, on the third of June” [his birth-day], “with a fine bouquet of the queen of flowers. Pray join in saying, Amen!”

Although not destined to see the third of June, he was enabled to see again his favourite roses, which he asked for in his last illness, and numerous friends hastened to gratify his wishes. Ten days after the letter was penned, from which this extract was made, he was attacked with symptoms of bronchitis—a disease which is often fatal to the aged. For a time, hopes were entertained by me, that he might successfully resist its fatal influence. His strength, however, gradually yielded, and, on the 29th of March, the depression and difficulty of breathing became more and more urgent and alarming. He, himself, from the commencement of the attack, had little expectation of recovery. Still, he was anxious to learn the report which I had to make to him, from time to time, of his condition, and especially of the evidences that were afforded by auscultation, on which he seemed to place great reliance.

On the 31st of March, he said, in reply to a friend, who

spoke to him in an encouraging manner,—“*C'est la maladie de mort.*” Throughout that day, it was manifest that his existence could not be prolonged many hours. About one o'clock, in the morning of the first of April, he breathed his last.

Thus died—in his 84th year—at an age much more advanced than is generally vouchsafed to man, and happily without the wonted “labour and sorrow,” one who had raised himself to a proud eminence; and whose high intellectual endowments had made him known not only in every part of this country, but in the four quarters of the globe. His correspondence was extensive, both at home and abroad, and his letters to and from distinguished literary characters are replete with valuable and interesting information. In all these—and on every occasion—where circumstances called for the expression of his sentiments, he exhibited that he was sincerely and ardently an American; and was proud that his adopted country should reap the credit and advantage of his intellectual efforts. I have already remarked, that from an early age he was imbued with republican principles; yet it would not seem that these gave the whole impulse to his removal to this country. He says himself, indeed:—“I shall not set up the vain pretension of having come to this country for the sake of freedom, or of a republican government. I was, it is true, a friend to liberty, and hated despotism, but that was not my predominant passion at the time. My most anxious desire was that of travelling. I wished to see different nations, different men, different manners, and, above all, to learn different languages, of which I was at that time, and ever since have been, extremely fond.” In writing of the French alliance, the news of which burst upon them at Valley Forge, he thus expresses himself: “The public distress was forgotten amidst the universal joy. I shall never forget that glorious time. I was not yet an American. I was proud of being a Frenchman. Rejoicings took place throughout the army. Dinners, toasts, songs, feux-de-joie, and what not! I thought I should be devoured by the caresses, which the American officers lavished upon me as one of their new allies. Wherever a French officer appear-

ed, he was met with congratulations and smiles. O! that was a delightful time! It bound me forever to the country of my adoption." And in a subsequent reminiscence, dictated a little more than three months before his death, in alluding to his engagement with Mr. Livingston, he says:—"Behold me, then, fixed in Mr. Livingston's office, an American by choice and by solemn contract, and a republican by principle. During the four years that I had been in this country, I had become entirely domesticated in it. I loved its simple manners, customs and habits, and its language was familiar to me. So that my resolution to remain permanently in it, was the result of a natural feeling, which has continued to animate me through the remainder of my long life. I have never had the least desire to pitch my tent any where else, not even in the country that gave me birth. I have preserved for that country a tender attachment; but it is that of the young bride for her aged parents, and the companions of her youth, which is very different from what she feels for the husband of her choice, and the family of her adoption. This last attachment acquires strength by time, while the other gradually fades, but is never entirely extinct. I have said, I believe, somewhere, that I had come to this country an *Anglomane*, which feeling was produced by my enthusiasm for English literature, particularly poetry; but the conduct of Great Britain during the war, cured me of my Anglomania, and I soon shared in the sentiments that prevailed here. They have been hostile or friendly as political circumstances gave rise to them. The study of different languages has led me into a more impartial view of the character of the different nations of the world, of their virtues, and of their foibles. I love the country of my choice, and have no political attachment to any other."

Such were the sentiments entertained by him from the moment he became a citizen of this country. A more patriotic American heart never beat in an American bosom. No greater indignity could, indeed, be offered him than to regard or to treat him as a foreigner, in the sense of one not thoroughly imbued with American principles, or likely to be unduly biassed by those which he might have imbibed in the land of his birth.

These sentiments led him to place foremost amongst the many honours bestowed upon him, those which emanated from the learned institutions of this country; and foremost amongst these, again, he ranked the honourable position in which he had been placed by this Society, of which he was, at the time of his death, one of the oldest resident members. On the 28th of July, 1791, he was elected into the Society; in January, 1816, he was chosen one of the Vice-Presidents; and in 1827, seventeen years ago, on the death of Chief Justice Tilghman, he was elevated to the highest office which the Society is capable of bestowing.

During the whole period of his membership, he was one of its most attentive, able and active associates; and even in the wane of life, was constantly at his post. The augmenting infirmities necessarily attendant upon advancing and advanced age, interfered however, of late, with the regularity of his attendance at the meetings of the Society; and, much to his regret, prevented him from participating in the business meetings of the Centennial Celebration in May, 1843. The last occasion on which he occupied the Presidential Chair, at a stated meeting, was on the nineteenth of last January.

But although often absent of late from the Society, owing to insuperable causes, his heart was ever with it. Of his activity and value as a member, the pages of the "Transactions" and of the "Proceedings," and especially of the Memoirs of the Historical and Literary Committee, bear ample and signal testimony.

A devoted admirer of the illustrious Franklin, he was proud to regard him as the founder of the Society, and so recently as the year 1840, he laid before the Society an elaborate, able, and ingenious, but not conclusive, argument, in which he endeavoured to demonstrate, that the American Philosophical Society is an immediate continuation of the ancient Junto established by Franklin in 1727. He was more accurate, when in his eulogium on his predecessor, Chief Justice Tilghman, he refers to a Society which had been established for the promotion of useful knowledge, as "the first germ of our Association."

Ever happy and elated if the course of the Society was un-

clouded—dejected and deeply solicitous if the sun of its prosperity was obscured even for a moment; he fully identified himself with it; and if there was any object of a scientific or literary character, that, rather than another, formed a part as it were of his very existence, it was the American Philosophical Society.

When, therefore, the country at large mourns for him as a departed sage and patriot;—the Bar of Philadelphia grieve for a venerable brother, “whose profound learning and varied accomplishments had for more than fifty years distinguished him, and shed lustre on the profession;”—the Law Academy express their affection for him who was the founder of the Institution, and who “for nearly a quarter of a century continued to preside over it, and until his latest moments, felt the liveliest interest, as well in its prosperity as in the individual welfare of its members;”—the Athenæum receives with deep sensibility the information of the death of one “whose extensive erudition, eminent ability, and renown as a man of science and letters, contributed largely to the elevation of the character of Philadelphia;” whose “faithful services as one of its directors, and for more than sixteen years as its President, were of a kind to conciliate the veneration and affection of its members;” and “whose preëminent acquirements as a philosopher, and zeal for the promotion of useful knowledge, were equalled only by the integrity of his principles, and the practical virtues of his life;”—the Historical Society express their deepest sensibility at the “irreparable loss they have sustained” in the death of their very learned and venerable President, whose “public renown as a writer and a *savant* was not more eminent than the purity of his private life and social virtues,” and whose “endowments, erudition and varied accomplishments were not merely a source of cherished pride to the members, but the means which were always at their command of the most extended usefulness to the Institution;”—We, the American Philosophical Society, unaffectedly deplore his loss, not as irreparable, we trust;

“Flagrantior æquo
“Non debet esse dolor viri, nec vulnere major;”

but for the exalted services, which through a protracted, most useful, and most honourable career, he rendered to the Society, to the great objects for which the Society was instituted, and to the country. We honoured him for the additional lustre, which, through his distinguished efforts, had been thrown around this Society in foreign countries, as well as at home: we venerated him as the pure patriot and philosopher; and we cherished him as an estimable and accomplished associate, the able incumbent of a chair successively occupied by a Franklin, a Rittenhouse, a Jefferson, a Wistar, a Patterson, and a Tilghman.

FINIS.



APPENDIX.

(A.)

LIST OF THE WRITINGS OF MR. DU PONCEAU.

An Opinion on the Case of the Alluvions of the River Mississippi, near New Orleans, called the Batture. New Orleans, 1808.

Mémoire en forme de Consultation au sujet des prétentions du Gouvernement des Etats-Unis sur la Batture dite des Jesuites. New Orleans, 1808.

A Review of the Case of the New Orleans Batture, and of the Discussions concerning it. Philadelphia, 1809.

A Treatise on the Law of War, translated from the Latin of Cornelius Van Bynkershoek, being the First Book of his *Quæstiones Jurispublici*, with Notes. 1 Vol. 8vo. Philadelphia, 1810.

The Penal Code of the French Empire; translated from the French, with Notes. In the American Review, Vol. II. Philadelphia, 1811.

The Commercial Code of the French Empire; translated from the French, with Notes: published in the same Book. 1811.

English Phonology, or an Essay towards an Analysis and Description of the Component Sounds of the English Language. In the Transactions of the American Philosophical Society, Vol. I. New Series. Philadelphia, 1818.

A Report of the Corresponding Secretary of the Historical Committee of the American Philosophical Society, on the Progress made in the Investigation of the General Character and Grammatical Forms of the Indian Languages, in the Transactions of the said Committee. Vol. I. Philadelphia, 1819.

A Correspondence with the Rev. Mr. Heckewelder on the Indian Languages. In the same Book.

A Discourse on the Early History of Pennsylvania, delivered before the American Philosophical Society. Philadelphia, 1821.

Notes on Eliot's Grammar of the Indian (Massachusetts) Language, in the Collections of the Historical Society of Massachusetts. Second Series. Vol. IX. Boston, 1822.

A Discourse on Legal Education, delivered at the Opening of the Law Academy of Philadelphia, 21st Feb. 1821. First published in Hall's Journal of Jurisprudence, and afterwards in an Appendix to A Dissertation on the Nature and Extent of the Jurisdiction of the Courts of the United States. Philadelphia, 1821—1824.

Discourse delivered before the first meeting assembled at Philadelphia to Commemorate the Landing of William Penn. In the Proceedings of that meeting. Philadelphia, 1824.

On the Language, Manners, and Customs of the Berbers of Africa; in a Series of Letters from W. Shaler to P. S. Du Ponceau, with an Introduction and Additions by the latter. In the Transactions of the American Philosophical Society. Vol. II. New Series. Philadelphia, 1824.

A Dissertation on the Nature and Extent of the Jurisdiction of the Courts of the United States. Philadelphia, 1824.

Essai de Solution du Problème Philologique proposé en 1823, par la Commission de l'Institut Royal de France, chargée de decerner le prix fondé par le Comte de Volney. Philadelphia, 1825. MS.

On the Reciprocal Rights of Belligerents and Neutrals, written in Italian by the Abbé Ferdinando Galiani. Translated from the German Translation of Professor Cæsar. 2 Vols. 8vo. MS.

A Free Translation, with Additions, of M. Rayneval's Works on the same subject. 2 Vols. 8vo. MS.

Translation of Vater on the Origin of the American Population. 1 Vol. 12mo. MS.

A Review of Chancellor Kent's Commentaries on the Laws of the United States, in the American Quarterly Review. Philadelphia, 1827.

A Grammar of the Language of the Lenni Lenape, or Delaware Indians. Translated from the German MS. of David Zeisberger, with a Preface and Notes. In the Transactions of the American Philosophical Society, Vol. III. New Series. Philadelphia, 1827.

A Eulogium on Chief Justice Tilghman. Philadelphia, 1827.

A Review of the Travels of Duke Bernard, of Saxe Weimar, in North America. In the American Quarterly Review, Vol. V. Philadelphia, 1828.

A Speech delivered at the Grand Harvest Home Meeting at the Valley Forge Encampment Ground, on the 26th of July, 1828, and published in the proceedings of that meeting. Philadelphia, 1828.

A Letter to Captain Basil Hall on the Necessary Connexion of the Chinese Characters with the Spoken Language. In the London Philosophical Magazine for January, 1829.

Essays on American Silk. By John D'Homergue, Silk Manufacturer, and P. S. Du Ponceau. Philadelphia, 1830.

An Address delivered to the Law Academy of Philadelphia, on the Opening of the Session 1831-2. Philadelphia, 1831.

A Review of a Work upon Silk. In the American Quarterly Review, Vol. X. Philadelphia, 1831.

An Historical Discourse delivered before the William Penn Society. Philadelphia, 1832.

A Brief View of the Constitution of the United States. Philadelphia, 1834.

Names of Places, &c., given by the Delaware Indians, with Explanations by the Rev. John Heckewelder; prepared for the press, with an Introduction and Notes, by P. S. Du Ponceau. In the Transactions of the American Philosophical Society, Vol. IV. New Series. Philadelphia, 1834.

A Eulogium on General Lafayette. In Hazard's Register, Vol. XIV. No. 14. Philadelphia, 1834.

A Discourse on the Necessity and Means of making our National Literature independent of that of Great Britain. Delivered before the Foreign Library Society. Philadelphia, 1834.

A Description of New Sweden, by Thomas Campanius Holm. Translated from the Swedish, with Notes. 1 Vol. 8vo. Philadelphia, 1834.

Mémoire à l'effet de Déterminer le Caractère Grammatical des Langues de l'Amérique Septentrionale, connues sous les noms Lenni Lenape, Mohégan et Chippeway, qui a obtenu le prix de Linguistique à l'Institut de France, fondé par M. de Volney. Paris, 1836.

A Memoir on the History of the celebrated Treaty made by William Penn with the Indians, under the Elm Tree. By Mr. Du Ponceau and Mr. J. F. Fisher.

The History of the Silk Bill, in a Letter from Peter S. Du Ponceau to David B. Warden, Esq. Philadelphia, 1837.

A Dissertation on the Nature and Character of the Chinese System of Writing, in a Letter to John Vaughan, Esq. By Peter S. Du Ponceau, &c. &c.; to which are subjoined, a Vocabulary of the Cochin-Chinese Language, by Father Joseph Morrone, &c. &c., with references to Plates containing the Characters belonging to each Word, and with Notes, showing the degree of affinity existing between the Chinese and Cochin-Chinese Languages, and the use they respectively make of their common system of Writing, by M. de la Palun, late Consul of France at Richmond, in Virginia; and a Cochin-Chinese and Latin Dictionary in use among the R. C. Missions in Cochin-China. Published by the Historical and Literary Committee, by order of the American Philosophical Society. 1 Vol. 8vo. Philadelphia, 1838.

An Historical Account of the Origin and Formation of the American Philosophical Society, held at Philadelphia, for the Promotion of

Useful Knowledge. Read before the Society on the 19th of June, 1840. MS.

Case, and Opinion of Peter S. Du Ponceau and A. Davezac, Counsellors, on the Contested Seat of Hon. David Levy, Delegate from the Territory of Florida, to the Congress of the United States. Alexandria, D. C. 1842.

He was the author, also, of several articles, additions and notes in the American edition of the Edinburgh Encyclopædia; and of the articles, "Chinese Language and Literature," "Languages and Philology," in the Encyclopædia Americana. Several of his speeches, delivered on various occasions at Philadelphia, New York and Baltimore, were published in the newspapers of the day.

(B.)

Philadelphia, May 1st, 1822.

SIR,—The members of the Law Academy of Philadelphia cannot permit another year to expire, without again expressing their deep sense of the obligations which your unwearied benevolence has imposed upon them.

The Association to which we belong owes its origin to your counsels, and ascribes its progress and present state of vigour and prosperity to your watchful attentions. From the moment when we received our charter of incorporation to the present hour, we are proud to acknowledge, that we have been advancing under your constant guidance; and that our character and usefulness as an institution are the fruits, Sir, of your superintendence and instructions. Our discussions of abstract principles of law, sufficiently dry and uninviting in themselves, have been enlivened and cheered by your presence and decisions: errors, which we might naturally have adopted, have been avoided: the fixed and all-important principles of the science have been illustrated and enforced in your opinions; and, as the proper result of these benefits, our numbers have been rapidly increasing. The debates in which we have participated, we regard as a most happy introduction to professional argumentation before the Bench; and as an introduction not less necessary than happy. We now leave your instructions, Sir, with regret: we gladly anticipate our return to them the succeeding autumn.

For the patient attention and kindness you have manifested at our meetings,—an attention and kindness rendered doubly acceptable by the urbanity which has always accompanied them,—we beg leave, Sir, on behalf of the Academy, to offer you our most sincere and

grateful acknowledgments; and, with the most cordial wishes for your continued health and happiness, we have the honour, very respectfully, to style ourselves,

Your most obliged and obedient servants,
 WILLIAM T. DWIGHT,
 EDMUND S. COXE,
 RICHARD PENN SMITH,
Committee of the Law Academy.

PETER S. DU PONCEAU, Esq. *Provost, &c.*

Philadelphia, April 10th, 1824.

RESPECTED SIR.—The close of another academical session being just at hand, the members of the Academy, unwilling to separate from you for a season, without some open acknowledgment of their obligations for your unremitting exertions in their behalf, have appointed us a committee with this view and to this end, to represent them on this occasion.

Permit us, then, in a representative capacity, to express that lively gratitude, which, as individuals, we all sincerely and devotedly feel, for your unwearied attention to our feeble attempts at legal argument, and for the important information uniformly conveyed by your exceedingly satisfactory opinions. For four successive years has this Institution been supported by your efforts, and directed by your counsels,—its members encouraged by your approbation, and delighted, as well as instructed, by your judicial decisions. Animated by your zeal, we have ever found it a pleasure, through the medium of adversary disputation, to investigate the hitherto unadjudicated points of law, and guided by your learning and experience have ever found a desirable profit in the result. Already have your labours, faithfully preserved by the Academy, and now partly copied by the members into books, for the purposes of a more careful preservation and greater convenience of reference, spread themselves over four hundred pages of manuscript. Yet still persevering in your endeavours; still devoting a portion of your valuable time, and employing your extensive professional acquirements for our improvement, another obligation is about to be added to those already conferred, by the delivery of a valedictory address, containing a discussion of some important constitutional points. Being well assured, that to your laborious exertions, occasionally relieved by those of the Vice-Provost, we owe not only the present flourishing condition of the Academy, and the respect it commands, but even its very existence as an Institution, we are con-

sequently indebted to you for all the advantages derived therefrom, and must of course feel a degree of gratitude corresponding to your services, and an ardour of attachment proportionate to the benefits received. To your address at the close of this session we look forward with undissembled pleasure, as the sure means of extending the reputation of this Institution, of enlightening its members, and increasing its numbers. Equally delightful is the anticipation of our reunion at the commencement of the next session, as the certain harbinger of professional improvement, the never failing accompaniment of our interesting employment. Accept, then, at this temporary separation, this letter of thanks as the imperfect testimonial of the respect and gratitude, so sensibly felt by all the members of the Law Academy of Philadelphia, for their venerable Provost, and receive with it their most sincere and hearty wishes for your future health, welfare and happiness.

We remain, very respectfully,

Your obliged and obedient servants,

WILLIAM F. DUNCAN,

J. G. CLARKSON,

WM. B. DAVIDSON,

Committee.

The following note from Mr. Kane conveys his impressions as to the legal character of Mr. Du Ponceau; and it is especially interesting, on account of the testimony which it bears from so excellent a source as to the unimpaired condition of Mr. Du Ponceau's intellect, even in his last illness, when it might have been expected that its powers would be materially impaired.

MY DEAR DOCTOR,—

I know you do not want me to undertake the analysis of Mr. Du Ponceau's professional character. He had withdrawn, in fact, from active practice, when I first knew him, and my recollections of him as a lawyer connect themselves with his labours in the Academy, and with his books.

I was the first Secretary of the Society under whose auspices the Law Academy was organized. Chief Justice Tilghman was our President, Mr. Du Ponceau taking the title of Provost. It lasted but a short time; a heavy snow storm having prevented the election of officers taking place at the time fixed by the charter, and there being no provision in the instrument to maintain the corporate character after such a lapse. Of the Society while it continued, and the Academy afterwards, Mr. Du Ponceau was *principium et caput et fons*.

He would spend evening after evening listening to the arguments of the moot court, and never failed to surmount the discussion with a fully laboured opinion. I remember several of these treatises, for they were, in fact, too grave and ample for a less dignified title, which ought not to have been lost to the literature of the profession.

He was a well-studied publicist, a little too liberal for the prevailing school of his day, and not, perhaps, always ready to do justice to the argumentation and influences by which that school was characterized. Comparing him with some of our native jurists, I should almost say that, Fitzgerald-like, he was more American than the Americans.

His mind was acute, and thoroughly drilled. He worked hard and rapidly. Even in the last hours of his life, he retained his professional tone and habit of thought, tracing nothing which he did not elaborate. You remember the scene in his chamber just before his death, when he invited me to draw the codicil to his will. He spoke with difficulty, and at intervals; but the sketch, as it came from his mind, had all the accuracy of phrase and formality of construction of a revised draught. The codicil, as it was presented to the Register a few days after, reads badly; but the fault was my own. I undertook to amplify and define what I thought were to be merely notes, and I found, before I was done, that he had been *dictating* without intending it. A mere amanuensis would have taken down a much neater professional instrument.

This little anecdote is probably my only reminiscence of our old friend, which it is worth while to admit into your appendix. I can add nothing to his character as you have drawn it.

Very faithfully

And truly, yours,

J. K. KANE.

Dr. DUNGLISON.

Nov. 11, 1844.

(C.)

A List of the Literary and Scientific Institutions to which Mr. Du Ponceau belonged; with the dates of his appointment.

American Philosophical Society, 1791.

American Antiquarian Society, Worcester, Mass. 1813.

Massachusetts Historical Society, Boston, 1818.

University of Pennsylvania (as Trustee).

New York Historical Society, 1819.

Philomathean Society of the University of Pennsylvania, 1819.

The Imperial Society of Beneficence, St. Petersburg, 1819.

- American Academy of Arts and Sciences, Boston, 1820.
 Essex Historical Society, Salem, 1821.
 Royal Academy of Sciences of Lisbon, 1823.
 Royal Institute of France, 1827.
 Antiquarian and Historical Society of Illinois, 1828.
 Columbian Institute, Washington, 1828.
 Philoclean Society of Rutgers College, New Brunswick, 1829.
 Royal Academy of History of Spain, Madrid, 1829.
 French Society of Universal Statistics, Paris, 1829.
 Royal Society of Northern Antiquaries, Copenhagen, 1829.
 Royal Academy of Turin, 1829.
 Kurland Society for Literature and Art, at Mitau, 1830.
 Academy of Inscriptions, Belles-Lettres, History and Antiquities, of
 Sweden, Stockholm, 1831.
 American Institute of Letters, Philadelphia, 1834.
 Union Debating Institute, Philadelphia, 1834.
 Peithessopian Society, Rutgers College, New Jersey, 1834.
 Bristol Institution for the Advancement of Science, Literature and
 the Arts, Bristol (Eng.), 1835.
 Geographical Society of Paris, 1836.
 American Historical Society, Washington, 1837.
 Academy of Sciences and Belles-Lettres of Palermo, 1837.
 Royal Geographical Society of London, 1838.
 Georgia Historical Society, Savannah, 1839.
 American Institute, New York, 1839.
 British and Foreign Aborigines Protection Society, London, 1839.
 Royal Society of Antiquaries of France, 1839.
 Educational Society, Cincinnati, 1840.
 National Institution for the Promotion of Science, Washington, 1840.
 Ethnological Society of Paris, 1840.
 Royal Herculaneum Academy, Naples, 1840.
 Philomathean Society of St. Mary's College, Emmetsburg, 1841.
 Albany Institute, 1841.
 Historical and Geographical Institute of Brazil, 1841.
 American Oriental Society, Boston, 1842.
 Northern Academy of Arts and Sciences, Hanover, N. H. 1842.
 Literary and Historical Society of Quebec, 1843.
 Ethnological Society, New York, 1843.
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(D.)

"I give and bequeath to the American Philosophical Society, held at Philadelphia for Promoting Useful Knowledge, all my books treating

of philological subjects; that is to say, of languages in general, including hieroglyphics, alphabets, specimens of languages, and works treating of the various systems of writing, excepting such grammars and dictionaries, English, French, and Italian, which my grand-daughter shall think proper to take for her use. Also, all my pamphlets in any language, bound or unbound, separately or together, whether relating to politics, literature, or other subjects, excepting such as my said grand-daughter shall think proper to reserve for her own use. Also, my works of Locke, Condillac, Dumarsais, the two Humboldts, Dugald Stewart, and Thomas Reid, in their original languages. Also, the Journal Asiatique, with its continuations, in hopes that the subscription will be continued. Also, the works of Jomard, Prichard, Klaproth, and Remusat. Also, Micali's History of the Ancient Italian Nations, in Italian, three volumes, octavo, with the plates belonging to it. Also, the Geography of Malte Brun, as those books shall be found in my library.

* * * * *

I give and bequeath to the Historical Society of Pennsylvania my copy of the votes of Assembly previous to the Revolution; the Works of William Penn, given to me by my deceased friend Judge Hallowell, Clarkson's Life of William Penn, and Proud's History of Pennsylvania. Also, two hundred dollars.

I give and bequeath to the Law Association of Philadelphia (I mean the Association of which I was elected Chancellor, December 4, 1837, as appears from a certificate among my papers), for their library, my copy of Bracton, given to me by the late Judge Franklin. Also, Coutumes Anglo-Normandes, four volumes, quarto, containing Fleta, Britton, and other ancient works of English law. Also, Loix de Howard, being Littleton's Tenures, with a French Translation and Commentary. I beg my brethren of the bar will accept these as a testimony of my respect, and of the remembrance of ancient fraternity. As they are not incorporated, at least that I know of, my friend, Thomas I. Wharton, will receive this legacy in trust for them. I add to it my Corpus Juris Civilis, by Friesleben, said to be the best edition extant. Also, Ayliffe's Pandects of the Civil Law, folio. I give them, also, my set of the American Jurist, published at Boston, unless they have it already.

I give and bequeath to the Law Academy of Philadelphia, one hundred dollars, to aid in their expenses, and in token of kind remembrance.

I give and bequeath to the Athenæum of Philadelphia two hundred dollars.

I give and bequeath to the Trustees of the University of Pennsylvania, for the Library of the University, my Dictionnaire Géographique, by La Martinière, in six volumes, folio.

I except from the books given to the Philosophical Society those of which they are already possessed, as will appear from their catalogues. Those duplicates I give to my friend, John Pickering, above named. As to bound pamphlets, if among them there should be any which they already have, they may still keep the bound volumes for the sake of those which they have not got, as it would not do to separate them.

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I give and bequeath, in addition to the other bequests, to the American Philosophical Society, held at Philadelphia, for Promoting Useful Knowledge, my Moniteur Universel ou Gazette Nationale, in twenty-one volumes, folio, being the History of the French Revolution and of Europe, from 1789 to 1800, with an additional odd volume of a subsequent date, and the six volumes of Indexes to the same, entitled, Tables Chronologiques and Tables Alphabétiques, in quarto."